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PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
AND FIFTY-NINTH MEETING (Resumption 1)

Held at Headquarters, New York,
on Wednesday, 11 March 1992, at 5.05 p.m.

President:	Mr. ARRIA	(Venezuela)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. BARBOSA
	China	Mr. LI Daoyu
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	Hungary	Mr. ERDOS
	India	Mr. MENON
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Zimbabwe	Mr. MUMBENGEGWI

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The meeting was resumed at 5.05 p.m.

The PRESIDENT (interpretation from Spanish): The next speaker is Mr. Hans Blix, Director General of the International Atomic Energy Agency (IAEA), to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite Director Blix to take a place at the Council table and to make his statement.

Mr. BLIX: Under a series of Security Council resolutions, beginning with resolution 687 (1991), the IAEA has been mandated, working together with the Special Commission, to map nuclear programmes and facilities in Iraq intended for, or susceptible of being used for, nuclear weapons production or the production of weapons-usable material; to remove, destroy or render harmless proscribed items; and to plan and perform future ongoing monitoring and verification of Iraq's compliance with all the Security Council resolutions in the nuclear sphere. I propose to focus on the Agency's work in these three areas.

In the 11 months that have passed since the adoption of resolution 687 (1991), the IAEA has sent 10 inspection missions to Iraq, removed 12 kilograms of highly enriched unirradiated uranium from Iraq, ordered and supervised the destruction or rendering harmless of a considerable amount of proscribed equipment and prepared a plan for the long-term monitoring of permitted nuclear activities.

(Mr. Blix)

This considerable activity would not have been possible without a certain amount of cooperation by Iraq, but the results would have come much faster and with much less pain if Iraq had fully and spontaneously complied with its obligations under the resolutions of the Council and the exchange of letters with the Secretary-General of the United Nations.

As described by the IAEA in the report submitted by the Secretary-General on 25 January 1992, Iraq has often followed a pattern of denial of clandestine activities until the evidence is overwhelming, followed by cooperation until the next case of concealment is revealed. The denial of activities has in many cases been accompanied by active concealment and deception. In a number of cases serious confrontation occurred when Agency inspection teams were denied the right to unrestricted access to sites or the removal of pertinent documents.

It is perfectly clear that in the face of these attitudes the IAEA could not have carried out the inspection programme and the mapping of the Iraqi nuclear programme but for the firm and consistent support of the Security Council. I should like to express the appreciation of the IAEA for this support. The present meeting of the Council is testimony to the continuation of this support in view of concrete difficulties which the Special Commission and the IAEA are currently encountering. Like several speakers this morning, I do hope that this meeting will contribute to a solution of these difficulties. I shall describe these difficulties but also briefly point to the results which have been achieved.

Important results have been obtained in the identification and mapping of Iraq's extensive efforts to acquire nuclear-weapons capability. After 10 months of work, including 10 inspections, after many sessions of intense

(Mr. Blix)

questioning of Iraqi technical teams, after the screening of masses of documents and after assessment of the analytical investigations of many hundreds of samples taken in Iraq, a fairly consistent and coherent picture is emerging of the Iraqi nuclear programme. Information supplied by Iraq, often after prior lack of cooperation, has been of great importance in several ways, but the picture that we draw is by no means a simple reflection of this information; it is based on direct observation and inspection of nuclear facilities, equipment and material, on authentic documents and proven information from other countries and on our own experts' considerable experience of nuclear programmes. There are, however, still some gaps or gray areas. In view of these gaps and Iraq's track record of non-revelation, inspections need to continue. Further information obtained about sites having possible clandestine nuclear facilities must also be followed by inspection. Indeed, we do not exclude that the need for further inspections can arise even as future ongoing monitoring and verification begin.

A general shortcoming in Iraq's attitude has been the lack of full and explicit acceptance of Security Council resolutions 707 (1991) and 715 (1991). I fear that this is an expression not only of reluctance but also of resistance, which is incompatible with the binding nature of these resolutions. In raising this matter during his recent visit to the Government of Baghdad, the Chairman of the Special Commission, Ambassador Ekeus, was speaking not only for the Commission but also at the request of the IAEA. The Security Council's insistence on the matter is important, not only as a question of the authority of the Council but as a matter that underlies the many specific points of non-compliance that we noted. A detailed list of such points was prepared by the IAEA in document S/23514, now supplemented and updated by information in document S/23687.

(Mr. Blix)

While, as the Deputy Prime Minister of Iraq said, the IAEA noted some improvements in the attitudes of the Iraqi authorities in the course of recent IAEA inspections, lack of cooperation and non-compliance still persist in the provision of information concerning sources of procurement of critical material and equipment. This information is of great significance since in many cases it is the only means for independent verification of the correctness of Iraqi statements and is basic to future monitoring. Further, the initial information needed to establish the future ongoing plan for monitoring and verification, required to be supplied by Iraq under resolution 715 (1991), has been provided only in a partial and incomplete way. The Deputy Prime Minister of Iraq referred this morning to the readiness of his Government to cooperate to solve current difficulties. A statement by Iraq of readiness to provide procurement information and to complete the information required under resolution 705 (1991) would eliminate important hurdles.

I now turn to the question of removal, destruction or rendering harmless of proscribed nuclear items. A large part of the Iraqi nuclear facilities, including most of the facilities known to us to have been used in the nuclear-weapons development programme, was either fully destroyed or heavily damaged in the course of the Gulf War. This has been true in the case of Tuwaitha, the main research-and-development centre of the Iraqi nuclear programme; of Tarmiya, the industrial complex for electro-magnetic isotope separation (EMIS) enriched uranium production; of Ash Sharqat, the intended second site for EMIS industrial-scale activities; of Al Jesirah, the large chemical complex, where the natural uranium feed material for enrichment activities was produced, and of Al Quaim, where uranium concentrates from indigenous uranium-bearing phosphate ores were produced.

(Mr. Blix)

In addition, by admission of the Iraqi authorities, a number of items such as components and equipment were subsequently damaged or destroyed by the Iraqi military in an attempt to remove evidence of the clandestine nuclear programme. In spite of this extensive destruction there are still sites, facilities, equipment and material which suffered little or no damage and therefore fall into the category of items requiring destruction, removal or rendering harmless under resolution 687 (1991).

This is the case of the Al Atheer site, specificially designed for weaponization activities, and of some buildings in Tarmiya and Ash Sharqat. In addition, some of the equipment, machine tools and materials, with little or no repair or modification, might be useful to Iraq should it seek to resurrect its nuclear-weapons programme.

The issue of destruction, removal and rendering harmless has been discussed at length between the IAEA and the Special Commission, and we are agreed to implement these activities on the basis of a common approach.

Progress to date in this area of destruction, removal or rendering harmless can be summarized as follows:

First, the removal of highly enriched uranium suitable for direct use in nuclear weapons has been given high priority. This material, in the form of fresh and irradiated fuel elements for the Iraqi research reactors, has been in the custody of the Agency since the first inspection, in May 1991. All the fresh fuel was removed from Iraq last November. Negotiations are being held with French and British companies to remove the remaining irradiated fuel, for which adequate funding is still required.

(Mr. Blix)

Secondly, a large number of components of calutrons and ultracentrifuges relevant to the production of enriched uranium have been assembled and destroyed under the supervision of the Agency.

Thirdly, hot cells, glove boxes, remote-handling manipulators and other equipment used in research activities for laboratory-scale separation of plutonium from irradiated fuel have been destroyed or rendered harmless. Dedicated equipment and machine tools used in the manufacturing of these components have also been destroyed.

Fourthly, dual-use items - that is, equipment and machine tools which, in principle, could be utilized in non-prohibited as well as prohibited activities - are being inventoried and placed under Agency seal. The destruction or release of these items is being dealt with on a case-by-case basis. Obviously, release of any such items will only be made provided that there can be effective future monitoring of their agreed-upon use.

Fifthly, buildings such as laboratories, plants and other facilities where research and development, production or testing directly relevant to activities prohibited under resolution 687 (1991) were conducted are currently being assessed for destruction. This is, for instance, the case of Al Atheer. A complete inventory of such facilities is being prepared. Any request for use in non-proscribed activities would have to be evaluated in the light of the possibility of effective monitoring of agreed-upon use.

Although the Agency has not so far met with resistance on the part of Iraq to its request for destruction, removal or rendering harmless of proscribed material, facilities or equipment, we are keenly aware that the

(Mr. Blix)

Special Commission has encountered such resistance. The Security Council's support for the authority of the Special Commission and of the IAEA to determine what is to be destroyed, removed or rendered harmless and Iraq's corresponding duty to accept and to implement such requests is, therefore, much appreciated. The elimination of facilities and equipment that would be of use in a resurrection of the clandestine nuclear programme is clearly of great importance.

(Mr. Blix)

Large facilities and large amounts of equipment required for the production of nuclear-weapons-usable material and nuclear weapons by Iraq have been destroyed, removed or rendered harmless. New facilities cannot easily be built without detection, and the import or production of new relevant equipment will meet great obstacles. What certainly remains in Iraq, however, is a large number of highly trained scientists and engineers who were engaged in its nuclear programme. Information supplied to our inspection teams suggests that these people are currently engaged in the civilian reconstruction of the country. Needless to say, it is important that these highly qualified cadres remain engaged in non-proscribed activities.

To conclude, it is essential that the measures prescribed by the Council for Iraq succeed, not only to allay fears about Iraq reviving a programme of weapons of mass destruction, notably nuclear weapons, but also to demonstrate that international verification is a viable means to create confidence. That experience is necessary if actions taken in Iraq are to represent steps towards the goal of establishing in the Middle East a zone free of weapons of mass destruction, as envisaged in paragraph 14 of resolution 687 (1991). The IAEA is committed to successful implementation of the Council's resolutions on Iraq and looks to the Security Council for guidance and support in its efforts to contribute to this result.

The PRESIDENT (interpretation from Spanish): The next speaker is Mr. Rolf Ekeus, Executive Chairman of the Special Commission, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

Mr. EKEUS: The Special Commission has one fundamental aim. That aim is to be in the position to report to the Security Council as soon as possible that Iraq has met in full all its obligations under section C of resolution 687 (1991) as elaborated upon in resolutions 707 (1991) and 715 (1991). The speed with which the Special Commission can carry out its responsibilities and report to the Council that its task is successfully and fully executed does not lie solely within the Commission's control. It is determined by the degree of cooperation which is received from Iraq and the openness and transparency of that State.

Let me examine the cooperation, openness and transparency which is required in relation to the provision of information to which the Deputy Prime Minister referred this morning. Iraq claims to have provided all the necessary information. But this is not the case. Iraq has indeed given information. However, this information is neither complete nor systematized. The Commission has evidence of the continued existence and concealment of undeclared weapons and the means of their delivery. Iraq has not provided the full, final and complete disclosure of all aspects of its prohibited programmes as required under resolution 707 (1991). The very fact that Iraq has not even acknowledged resolution 707 (1991) undermines the credibility of the information it has provided.

In that context, it must be stated that it is very difficult for the Special Commission to carry out a dialogue with Iraq if such a dialogue must be carried out under the cloud of Iraq's outright refusal to give full, final and complete disclosure in accordance with the language of resolution 707 (1991).

The credibility of Iraq is further reduced by the failure to furnish the documentary and material evidence necessary to verify the information.

(Mr. Ekeus)

Instead of full, final and complete disclosure, Iraq has proposed a dialogue in which the Special Commission would seek to elicit the information from Iraq through an inquisitorial approach. Such an approach shifts the onus of seeking and compiling the information onto the Commission, whereas the Council's decisions properly place that onus on Iraq. It is Iraq which has in its possession the full information, not the Special Commission.

Thus, Iraq must provide, first, all information on the evolution of the programmes and the links between all the elements in each programme; secondly, all information on procurement to support the programmes, including a detailed year-by-year breakdown of production and imports, and their sources; thirdly, full records of the use of all relevant weapons and components thereof; fourthly, credible detailed information on items destroyed unilaterally by Iraq - I shall come back to that point; and, fifthly, sufficient credible supporting documentation and physical evidence for all declarations made by Iraq.

Just this morning in his statement before the Security Council, the Deputy Prime Minister of Iraq declared that Iraq has destroyed more than 270,000 items unilaterally. The Special Commission has requested, but not received from Iraq, the list fully accounting for all these items, which clearly relate to proscribed programmes. In the view of the Special Commission, the unilateral destruction by Iraq of these items is not in conformity with resolution 687 (1991), which provided for disposal of prohibited items only under international supervision. The number of items involved indicates that many gaps remain in the picture of Iraq's prohibited-weapons programmes. It is up to Iraq to fill those gaps by complying with the requirements of resolution 707 (1991) to provide a full, final and complete disclosure of its proscribed programmes.

(Mr. Ekeus)

Concerning the Special Commission's responsibility for the destruction, removal or rendering harmless of Iraq's weapons and capabilities in the proscribed areas, I have to state that the destruction of weapons already declared by Iraq is now under way with the cooperation of the Iraqi authorities - and that cooperation has been good.

(Mr. Ekeus)

With regard to the disposal of the capabilities for the production of such weapons we are, however, in another situation. It will be recalled that under paragraph 9 (b) (ii) of Security Council resolution 687 (1991) Iraq is required to destroy, under the supervision of the Special Commission, all its proscribed missile capabilities, including launchers and repair and production facilities.

As members of the Council know, a ballistic missile team recently had to be withdrawn from Iraq because of the refusal of the authorities in Iraq to proceed with the destruction of certain missile-producing capabilities. These had been identified for destruction by the Special Commission after a long process of exchanges with Iraq and careful and thorough consideration, on a case-by-case basis, of every request made by Iraq. As a result, a final decision was made by the Special Commission and a list of items was communicated to Iraq in a letter dated 14 February 1992 (S/23673).

Iraq is continuing to refuse to comply with this decision and seeks to confuse the issue, despite the statement of the President of the Security Council dated 28 February 1992 on behalf of all the members of the Council, which clearly reaffirmed that it is for the Special Commission alone to determine which items must be destroyed under paragraph 9 of resolution 687 (1991).

For some months now the Special Commission has discussed and has notified Iraq of how it intends to proceed in the matter of the destruction, removal or rendering harmless of Iraq's capabilities for producing weapons of mass destruction. Iraq has sought to argue that nearly every building and every piece of equipment which has been devoted to its proscribed-weapons programmes should be kept and should be converted to what it has said would be

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civilian use. Iraq has argued that otherwise the Special Commission would be depriving the country of its civilian industrial base. This argument does not stand up to even the most cursory examination. There is not a single structure or item which is or will be earmarked for destruction that has formed part of Iraq's civilian industrial base. These structures and items have been devoted to the production of weapons of mass destruction and not to the production of articles for civilian use. The Special Commission would be failing in its responsibilities to the Security Council if it did not ensure that items used by Iraq for production of weapons of mass destruction were either destroyed, removed or rendered harmless. In this latter sense, the items must be modified to such a degree that they no longer possess specific features that render them capable of use by Iraq in prohibited activities or amenable to reconversion.

Thus we come to the third stage of the Special Commission's responsibilities, and that is the ongoing monitoring and verification of Iraq's compliance with its obligations under section C of Security Council resolution 687 (1991). In this case, the existence of an impasse is now amply confirmed. By its resolution 715 (1991), adopted in October 1991, the Security Council approved plans for ongoing monitoring and verification submitted by the Secretary-General and by the Director General of the International Atomic Energy Agency (IAEA). Since November, the official position of Iraq has been that stated in a letter to the President of the Council from the Minister for Foreign Affairs of Iraq. This position was reaffirmed to the Special Commission at the end of January 1992. That letter states that the plans are aimed at objectives incompatible with the letter and spirit of the United Nations Charter, the norms of international law, and international and humanitarian pacts and covenants. Most recently -

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during my visit to Baghdad - Iraq has said that the statement does not amount to a rejection of the plans. However, the Special Commission cannot understand it otherwise than as rejection, in the light of the language to which I just referred. The rejection by Iraq is confirmed by the fact that Iraq has so far failed to file with the Special Commission two declarations which were required under the Commission' plans in November 1991 and January 1992. Without these declarations, which would provide the basic information required to set up a satisfactory monitoring regime, such monitoring which would comply with the Security Council's requirement, cannot be instituted.

Iraq has argued that the plans infringe upon its independence, sovereignty and national security. However, the plans have been formulated on the basis of existing international norms and those currently under negotiation for the forthcoming international convention on the elimination of chemical weapons, which is intended to have universal application.

To the extent that general provisions in the plans appear intrusive, this is in large measure a result of the conduct of Iraq. The intrusive elements were approved by the Security Council against a background of concealment, movement of proscribed items and violation of the privileges and immunities of inspection teams which are well known to the Council. If Iraq cooperates, the intrusive elements will not need to be invoked; in any event, the Special Commission and the International Atomic Energy Agency have no need to excuse or justify plans which have the unanimous endorsement of the Council in its resolution 715 (1991), adopted under Chapter VII of the United Nations Charter.

Prompt and successful implementation of all the stages of the work of the Special Commission and of the IAEA require that their facilities, privileges

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and immunities are fully implemented. These facilities, privileges and immunities flow from the Council resolutions, from relevant international conventions to which Iraq is party, and from the express provisions of the status agreement between the United Nations and Iraq which entered into force on 14 May 1991.

To take one example, from the beginning Iraq has interposed difficulties in regard to the operations and landing rights of United Nations aircraft in Iraq. These difficulties continue, and, where landing rights are concerned, all the Special Commission's approaches to resolve them are met with silence. This should not continue if Iraq has a real interest in the full cooperation necessary to expedite implementation of section C of Security Council resolution 687 (1991)

(Mr. Ekeus)

The Deputy Prime Minister also referred to high-altitude aircraft operations over Iraq. I have to remind him that in resolution 707 (1991) the Council specifically approved such aerial surveillance. The aircraft is provided to the Special Commission by a Member State. A large number of Governments provide us with information and logistical support. The Special Commission makes use of personnel from many countries: so far we have used inspectors and technical experts from 35 countries. We also use helicopters and a heavy transport capability provided by one Government.

The aerial surveillance flights are undertaken with the full control and command of the Special Commission. It is the Special Commission that indicates which areas shall be covered. It is correct that a large number of such flights have taken place over the Baghdad area. There is a very simple explanation. In the vicinity of Baghdad there is a large number of facilities to which resolution 687 (1991) relates. It goes without saying, that the pilot carries a United Nations certificate, that the plane is provided with United Nations insignia and that Iraq is notified in advance of each flight, both of the time-frame within which the flight is to take place and the point of entry and the point of departure from Iraqi territory.

The special mission headed by me which was sent to Iraq recently under the Council's aegis to secure unconditional agreement by Iraq to implement all its relevant obligations under resolutions 687 (1991), 707 (1991) and 715 (1991) failed to obtain that agreement. The failure by Iraq to provide it resulted in the condemnation and warning contained in the statement of 28 February 1992 by the President of the Council on behalf of the Council

(Mr. Ekeus)

members. The Commission must act in accordance with the resolutions of the Council and the statements of its President on behalf of its members. It cannot negotiate away any of the provisions of the resolutions, the statements or the plans approved by resolution 715 (1991), for instance.

In the absence of the undertaking by Iraq to comply fully with the Council's decisions, and until practical experience is gained to confirm that such an undertaking is being honoured, the Special Commission will be seriously hindered in the phases of its operations concerning the identification and destruction of prescribed items and it will be precluded from instituting the ongoing monitoring and verification phase. In such a situation the possibility of the Special Commission's certifying Iraq's compliance with its obligations under section C of resolution 687 (1991) does not even arise.

The PRESIDENT (interpretation from Spanish): The next speaker is the representative of Kuwait. I invite him to take a place at the Council table and to make his statement.

Mr. ABULHASAN (Kuwait) (interpretation from Arabic): I am pleased on behalf of the State of Kuwait to congratulate you, Sir, on presiding over the Security Council's work for this month. We know you as a seasoned diplomat representing a friendly country with which we share many interests, a country which works with Kuwait for peace based on justice throughout the world. We are confident that you will be successful in conducting the Council's business.

I should also like to extend our thanks to our friend, Ambassador Thomas Pickering, Permanent Representative of the United States, for his presidency of the Security Council last month.

(Mr. Abulhasan, Kuwait)

The Council is meeting today to consider Iraq's compliance in implementing the provisions of resolution 687 (1991). At this meeting, which is attended by a high-level delegation from the Iraqi regime, the Council also aims to examine Iraqi's claims to have implemented that resolution and therefore to have the right to the benefits outlined in the resolution to be given when it is fully implemented.

Kuwait is the main party whose rights are enshrined in the operative paragraphs of the resolution, for whose implementation specific responsibilities rest upon the Iraqi regime. Kuwait wishes objectively and impartially, and with a sense of historic responsibility towards the people of Kuwait, its interests, security and stability, and towards the security and stability of the region, wishes to make the following points.

First, resolution 687 (1991) is binding on Iraq for two reasons. The first is that the resolution was adopted under Chapter VII of the Charter and under its umbrella and therefore is binding not only on Iraq, as a main and immediate party, but also on all the other countries of the world. Secondly, the Iraqi legislature, the National Assembly, accepted resolution 687 (1991) unconditionally, thus negating all reservations and remarks made by Iraq in its preliminary letter of acceptance, which the Security Council rejected.

The second point is that, for all the reasons I have given, Iraq has become absolutely bound to implement resolution 687 (1991), without any negotiation concerning its provisions or any interpretation by Iraq of them. Implementation is, however, to be in accordance with the interpretations, mechanisms and reports prepared by the Secretary-General of the United Nations and approved by the Security Council.

(Mr. Abulhasan, Kuwait)

Thirdly, a follow-up of Iraq's conduct and its behaviour in regard to the operative paragraphs of resolution 687 (1991) demonstrates that it has reneged on its absolute acceptance of the resolution and that it is attempting to evade the obligations based upon the interpretation of these operative paragraphs, under the pretext used by the Iraqi regime in its preliminary letter of acceptance of resolution 687 (1991) - which, again, the Security Council rejected at that time.

The following remarks are made because they form the general background governing the implementation by Iraq of the provisions of resolution 687 (1991). I shall give examples of what I have just said, in relation to questions that concern Kuwait exclusively, in particular in resolution 687 (1991), by making these points:

I turn first to the question of prisoners of war and missing persons who are Kuwaiti or third-country nationals.

First, paragraphs 2 (c) and 3 (c) of resolution 686 (1991) and paragraph 30 of resolution 687 (1991) provide for the immediate release of all prisoners of war and detainees who belong to Kuwait or who are third-country nationals and request the assistance of the International Committee of the Red Cross (ICRC) in this regard.

Second, immediately following the cease-fire, and with the assistance of the ICRC, the Iraqi regime set free 6,920 prisoners and detainees who were Kuwaiti or who were third-country nationals.

Third, a large number of prisoners and detainees who are Kuwaiti or are third-country nationals are still in Iraq's prisons and detention camps. Full lists of their names were presented to the ICRC last September. Iraq, however, has never responded to the repeated requests of the ICRC to be

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allowed to visit them and register their names. Many meetings were held. Some of them took place between coalition representatives and three representatives of the Iraqi regime, in the presence of the Red Cross; and others, between the Red Cross and representatives of the Iraqi regime. These meetings resulted in these main requests made to Iraq on 16 October 1991: publication of Kuwaiti and Saudi lists of all missing persons in all Iraqi media and at various times; and visits in all freedom by the International Committee of the Red Cross to detention camps in Iraq, in accordance with standard procedures of the ICRC. The Iraqi response to these requests, on 12 November, was incompatible with the requests. It was therefore officially rejected by the representatives of the coalition forces. Publication in only one Iraqi newspaper is not sufficient. A single visit by the ICRC to each detention camp and prison, with prior notification, is inconsistent with the rules. Moreover, resolution 686 (1991) and 687 (1991) provide no basis or support for the principle of reciprocity regarding the procedures governing this case.

Fourth, throughout this period, the ICRC has received no information as to the whereabouts of the persons reported missing. Nor has it received any detailed and documented information on the search operations launched by the Iraqi authorities. The ICRC is also still awaiting information on persons who died during the detention.

Fifth, the ICRC, in paragraph 15 of its report to the Secretary-General in document S/23514, expressed its regret that it had been unable to reach an agreement.

Sixth, Iraq submitted to the ICRC a list containing the names of 3,700 persons alleged by Iraq to be Kuwaitis wishing to return to Kuwait. On

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the other hand, the Red Cross said it could not confirm their nationalities, and these persons are claiming that they lived in Kuwait and have expressed a desire to go back to their former place of residence. These persons are now living in various places in Iraq and enjoying freedom of movement inside Iraqi territory. Some of them do not fall into the category of detained prisoners envisaged in resolutions 686 (1991) and 687 (1991) but, rather, fall into the category of "family reunion". Kuwait has accepted each and every one of them who fall into that category, but it has rejected the rest of them because they are not Kuwaitis and do not fall into the category of "reunion"; or their names were not listed in the civil record, the Kuwaiti census which was deposited with the United Nations and which includes the names of all Kuwaitis and others who had lived in Kuwait until 1 August 1990 - that is, one day before the Iraqi invasion of Kuwait.

The Iraqi authorities are attempting to give world public opinion the illusion that the Government of Kuwait does not want its sons back. Kuwait, that kind, loving mother, would in no circumstances ever reject any of its sons. But we cannot accept that persons who have nothing to do with Kuwait should be planted in Kuwait. It is well known that when Iraq committed its aggression against Kuwait it confiscated many passports and identity cards of Kuwaitis and forged all of them to bear the names of those whom it wanted to plant in Kuwait so that they could sow the seeds of dissension.

Seventh, on 28 February 1992, four and a half months after the presentation to Iraq, through the ICRC, of the coalition proposals regarding the publication of names in newspapers and the visits to prisons and detention camps in all freedom, the Foreign Minister of the Iraqi regime sent a letter

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in which he accepted these conditions. As a matter of fact, this acceptance was belated and, at the same time, was a conditioned acceptance. The letter from the Foreign Minister of the Iraqi regime was based on the allegation that Iraq had implemented paragraphs 2 (c) and 3 (c) of Security Council resolution 686 (1991) and paragraph 30 of resolution 687 (1991). As is known, those Security Council resolutions demand the return of all prisoners and detainees. They do not talk about an intention to return them, let alone agreement to publish their names or arrange for visits to prisons and detention camps in order to locate them.

(Mr. Abulhasan, Kuwait)

With that rationale the Iraqi régime is attempting to give the Security Council the false impression that it has met its obligations with regard to Kuwaiti detainees and third-country nationals.

Through you, Mr. President, I wish to put two questions to the representative of the Iraqi régime on the matter of these prisoners. First, why will Iraq not accept the standard rules and procedures of the ICRC with respect to visits to prisons and Iraqi detention camps? Secondly, why has Iraq not yet given a serious response to specific cases set out in the comprehensive files on Kuwaiti and Saudi prisoners of war submitted as early as last October?

These innocent Kuwaitis and their families and these third-country nationals are pinning their hopes on this meeting; they expect the Council to shoulder its responsibility to help them overcome the suffering they have experienced since their detention. We ask the Council to make the Iraqi regime accept its responsibilities just as the Iraqi regime asks the international community to understand the suffering of the Iraqi people - suffering ultimately due to the policies of that very regime. We in Kuwait and in other countries whose nationals remain in Iraqi prisons and detention camps call on the international community to understand the suffering of those detainees and to put pressure on the Iraqi regime to facilitate the ICRC mission, in accordance with standard Red Cross procedures, to locate them, to release them, to ensure their repatriation or to determine their fate.

Kuwait wishes to take this opportunity to express its gratitude to the ICRC for the humanitarian role it has played, and to commend its efforts, which have thus far been fruitless owing to the Iraqi regime's obduracy. We call upon the Council to help the ICRC accomplish its lofty mission.

(Mr. Abulhasan, Kuwait)

I turn now to the demarcation of the boundary between Iraq and Kuwait. In his report of 2 May 1991, on the basis of which the Iraq-Kuwait Boundary Demarcation Commission was established, in accordance with paragraph 3 of resolution 687 (1991), the Secretary-General specified the Commission's tasks and course of action, and determined that its decisions would be final. Consequently, the substantive work carried out by the Iraq-Kuwait Boundary Demarcation Commission represents a legal demarcation of the international boundary which is binding on both parties. Moreover, the Security Council in paragraph 4 of its resolution 687 (1991), which is legally binding on Iraq, decided to guarantee the inviolability of the boundary as demarcated.

Kuwait notes that Iraq's delegation in the Commission has participated in the majority of its work, contributed to formulating the Commission's internal rules of procedure and shared in preparing the records and reports of its meetings. That is further evidence of Iraq's acceptance of the binding nature of the Commission's decisions. While Kuwait is of the view that the work of the Boundary Demarcation Commission is progressing in a constructive, if very slow, manner, some statements and comments made by the representative of Iraq during Commission meetings, which appear to have been based on instructions from his Government, make us doubt the seriousness of Iraq's commitment to the binding nature of the work of the Commission, and make us wonder about Iraq's intentions with respect to that work - especially since the main objective of the Commission is to guarantee stability and security along the border. In that connection, I draw the attention of the Council to two paragraphs of an official intervention in which, during a meeting held in Geneva in August 1991, the Iraqi representative rejected, completely and in detail, the establishment by the Secretary-General of the Iraq-Kuwait Boundary Demarcation Commission.

(Mr. Abulhasan, Kuwait)

That and other positions do not further or conform to Iraq's obligations under resolution 687 (1991). Through you, Mr. President, I should like to ask a specific question of the representative of the Iraqi regime: What is the meaning of that statement made by your representative in the Boundary Demarcation Commission, particularly the part at the conclusion referring to Iraq's objection to the whole process from the outset and describing the Commission as a strange creature?

The presence of that Iraqi statement in the meeting records of the Boundary Demarcation Commission is further demonstration of Iraq's lack of commitment to resolution 687 (1991). Therefore, clarifying Iraq's position on this question is of the utmost importance to the security and stability of the entire region. For our part, we reiterate our full respect for and commitment to all decisions of the Boundary Demarcation Commission. We should like also to express our appreciation for the scientific and professional methods used by the Commission and for the neutrality and objectivity with which it is conducting its business.

I turn now to the return of stolen Kuwaiti property. Since 26 March 1991, when the Secretary-General appointed an official responsible for coordinating the return of Kuwaiti property stolen by the Iraqi regime, Kuwait has submitted detailed lists of property stolen from 25 ministries, institutions and government establishments. Some of this property was included in inventory lists prepared by the Iraqi occupying authhorities and found after the expulsion of the Iraqi forces from Kuwait.

The special coordinator appointed by the Secretary-General, and his staff, are to be commended for their notable efforts to return the property which Iraq declared its willingness to return. Property belonging to the

(Mr. Abulhasan, Kuwait)

following institutions has been returned: the Central Bank of Kuwait, the Central Library of Kuwait, the National Museum of Kuwait, the Kuwait News Agency and Kuwait Airways Corporation. Some aircraft and military helicopters have also been returned. Some other property belonging to the Ministries of Defence and Health are being returned; the modalities of the return are being set up. It must be said, however, that most of the property was deliberately destroyed.

Kuwait has several points to make on this subject.

First, to date the Iraqi authorities have not commented on the fate of property belonging to other ministries and government institutions.

Secondly, the Iraqi authorities have officially rejected their liability for the return of property stolen from the private sector. The value of this property is estaimated to exceed hundreds of millions of dollars.

(Mr. Abulhassan, Kuwait)

Some of these were stolen and removed to Iraq under inventory lists prepared by Iraqi ministries, accompanied by the signatures and seals of governmental agencies that had come to Kuwait to supervise the operations of theft and transport. We have some of the photocopies and some of the originals left by the Iraqi regime after it had been expelled.

If Iraq does not complete the return of both public and private property, it will be in violation of the provisions of resolutions 686 (1991) and 687 (1991). It is liable for compensation of properties destroyed during the theft and return operations.

Having reviewed the extent of Iraq's compliance with the provisions relevant to Kuwait of resolutions 686 (1991) and 687 (1991), I should like to add the following points, which demonstrate Iraq's lack of seriousness for the letter and spirit of those resolutions.

First, the Secretary-General said in his report on the United Nations Iraq-Kuwait Observation Mission (UNIKOM)

> "The continued presence of Iraqi police posts on the Kuwaiti side of the line shown on UNIKOM'S map remains a matter of concern. I have instructed the Chief Military Observer of UNIKOM to persevere in his efforts to have these police posts pulled back behind the line."
> (S/23106, para. 35)

Despite the efforts made by UNIKOM, Iraq still insists on keeping these posts, and informed Major-General Greindl that it would not pull back the posts because of the political implications resulting therefrom.

There is no question that the continued presence of the seven Iraqi police posts inside Kuwaiti territory represents a violation by Iraq of Kuwait's sovereignty and territorial integrity. Moreover, Iraq's stubborn refusal to remove the posts contravenes its announced commitment to cooperate

(Mr. Abulhassan, Kuwait)

with UNIKOM. The Iraqi position as such cannot be described as full compliance with resolution 687 (1991).

Secondly, Iraq still rejects resolutions 706 (1991) and 712 (1991), which authorized the export of $1.6 billion of Iraqi oil to finance the purchase of foodstuffs and medicines and to pay its contribution to the compensation fund as laid down in a main paragraph of resolution 687 (1991).

Such intransigence and rejection on the part of Iraq of the two aforementioned resolutions is harmful to the Iraqi people and adds to their pain and suffering. That attitude is a denial of the rights of large numbers of people affected by the Iraqi invasion and aggression against Kuwait, who would benefit from the compensation fund.

The nationals of many countries have been affected by Iraq's refusal to accept resolutions 706 (1991) and 712 (1991). These continued practices by Iraq represent a major violation of resolution 687 (1991), which gave rise to reparations and the establishment of a compensation fund and its financing mechanism.

The most blatant example of Iraq's violation of Security Council resolutions is the fact that it declines to reveal, destroy and accept the monitoring of all stockpiles of weapons of mass destruction.

In the final paragraphs of his report, the Secretary-General made it perfectly clear that Iraq has thus far failed to meet its obligations. This grave situation implies two risks: the continued aggressive intentions of that regime towards its neighbours and towards security and peace in the region; and the intent to make use of such capabilities, if they escaped destruction, the Iraqi regime having decided to reveal its intention of rejecting the remaining provisions of resolutions 687 (1991) and of reneging on everything it had accepted. The Iraqi regime's record is replete

(Mr. Abulhassan, Kuwait)

with broken promises. Its abrogation of the Algiers Agreement with Iran and its eight-year war with that country bear witness to the nature of this regime, its promises and the extent of its respect for its commitments.

In this meeting the Council is called upon in the presence of the Iraqi high-level delegation to guarantee that peace and security in the area are not obstructed by the capricious, aggressive nature of this regime.

Guarantees that deter the regime's capability of aggression are a victory for peace, security and stability in the region and will render a service to the people of Iraq and promote security and prosperity for all the peoples in the area.

The PRESIDENT (interpretation from Spanish): I thank the representative of Kuwait for his kind words addressed to me.

I shall now set aside a period exclusively for directing questions at His Excellency Mr. Tariq Aziz, Deputy Prime Minister of Iraq, who, in accordance with his request of this morning, will deal with these questions at the meeting tomorrow morning.

Sir David HANNAY (United Kingdom): I listened with very great care this morning to the lengthy statement made by the Deputy Prime Minister of Iraq. While I was somewhat disappointed that it did not reflect a more wholehearted response to the unanimous view of this Council, which is seeking to achieve full compliance by Iraq of its obligations, I nevertheless would welcome the opportunity to ask one or two questions about various sections of his statement. I noted that he referred to a quotation from the report by Mr. Ahtisaari about Iraq having been propelled back into the pre-industrial age. I am only bound to say that at the time Mr. Ahtisaari wrote that report,

(Sir David Hannay, United Kingdom)

and entirely unbeknownst to him, Iraq was in fact still pursuing a nuclear weapons programme, which is not normally an appurtenance of a State in the pre-industrial age.

(Sir David Hannay, United Kingdom)

Now, a number of the questions related to the weapons of mass destruction are very important and of great concern to the Council. The first question I would like to ask the Deputy Prime Minister to consider is whether the four points on page 9 of the English text of his statement are completely unconditional and unqualified, or whether the 8 lines of text below the four points are in fact the left hand taking away what the right hand has just given. I think it is extremely important that the Council should know that these four undertakings are entirely unqualified and unconditional.

My second question in this connection would relate to point four of those four points, where it is stated that Iraq is ready to reach a practical mechanism regarding the issue of the equipment covered by the provisions of paragraph 8 of resolution 687 (1991). I would like to ask whether the fact that this reference is only to paragraph 8, which refers to chemical and biological weapons and ballistic missiles but not to nuclear materials and nuclear matters, which are dealt with in paragraph 12, is a deliberate omission or simply an oversight? It is obviously a matter of some considerable significance if this undertaking does not relate to nuclear matters, as it appears not to do on the face of the text.

Then, I would like to address the ideas put forward by the Deputy Prime Minister for involving the Council in discussions about the handling of weapons of mass destruction. I think it must be clear from what was read out by our President at the beginning, and in particular from the statement by the Council on 28 February, that the view of the Council is that it is not the business of the Council to get involved in the detailed decisions that have to be taken by the Special Commission and the International Atomic Energy Agency (IAEA). But I would like to assured - and this is the point of my

(Sir David Hannay, United Kingdom)

question - that if, as a result of further contacts between the Deputy Prime Minister and his delegation and the Special Commission and the IAEA, certain determinations and decisions are taken by the Special Commission and the IAEA, Iraq will accept those decisions and determinations as fully binding and will implement them? That is also very important for the Council to know.

On matters outside the scope of the weapons of mass destruction section of Security Council resolution 687 (1991), the Deputy Prime Minister referred to a number of products which it was impossible to import into Iraq because of lack of funds, and I would like to ask the Deputy Prime Minister whether, if the Council - as my delegation hopes it will - renews resolutions 706 (1991) and 712 (1991), the Government of Iraq will be prepared to resume the contacts with the Secretariat which it was holding in the months of December and January with a view to implementing a scheme which would enable humanitarian supplies to reach the people of Iraq.

And finally, I would like to express the extreme regret of my delegation that the Deputy Prime Minister did not at any moment address Iraq's obligations under Security Council resolution 688 (1991). These are serious matters which have given great concern to the Council, which has noted a risk to international peace and security arising from the way in which the population of the north and the south of Iraq was treated last year, and I would like to ask the question as to when the Government of Iraq intends to lift the economic blockade on a part of its country so that any humanitarian supplies which are sent by the United Nations agencies or others are able to reach all parts of the Iraqi population and are not prevented from reaching those whom the Government of Iraq does not wish them to reach.

Those are the questions I would like to put, and I will look forward with lively interest to hearing the answers tomorrow morning.

Mr. PICKERING (United States of America): I want to assure you at the outset, Mr. President, that I do have some questions, but I would ask your permission also, in the course of presenting my questions, to comment briefly, if I may, on the statement we heard this morning, which does not lend itself very well to questions, because the questions have more to do with what was not in the statement than with what was in it.

In any event, let me begin by saying that we were disappointed in what we heard from the Deputy Prime Minister this morning, and that perhaps might be guilty of being a serious understatement. The approach which he made to the Council did not, in our view, either address the issues nor did it very much advance the process.

The statement itself appeared to be directed towards trying to destroy at least in part the confidence of the Security Council in the Special Commission and in the International Atomic Energy Agency (IAEA) and their work. In several areas it suggested that the Council now had to put itself into the process of actually implementing its own resolutions. Even worse, perhaps, it suggested that the Council enter into a negotiating process with Iraq for the implementation of what we all know to be mandatory resolutions of the Council. This perhaps reflects a continued fundamental misunderstanding on the part of Iraq about mandatory resolutions and a serious miscalculation of the intention and purpose of the Council in dealing with Iraq's programmes of weapons of mass destruction in particular.

Specifically, the Deputy Prime Minister suggests that with respect to the declarations required of Iraq under resolution 687 (1991), Iraq would be ready to sit down with the Council and the Special Commission and apparently negotiate out what it is that Iraq will declare. This is not the approach of the Council nor, obviously, the purpose of its resolutions.

(Mr. Pickering, United States)

Secondly, with respect to the issue of the destruction of its weapons of mass destruction and the programmes in Iraq for the production of those weapons, it seeks a similar negotiating-oriented approach. It suggests that there is confusion about what the Special Commission and the International Atomic Energy Agency have asked to be destroyed. It suggests that the Council put itself into the middle of this process to decide what elements must be destroyed. It ignores the firm position on the part of the Council that the Special Commission and the IAEA will be the technical mechanism for the designation of what should be destroyed or rendered harmless or removed in the Iraqi programme and in the production base which supports that programme. We understand the Special Commission conducted several rounds of conversation with Iraqi technical experts and has come up with final lists on certain ballistic missile and related production items which Iraq now refuses to destroy. We fail to see how further conversations and negotiations are a real answer to the problem. The problem is really full compliance with the resolution as it stands and the designations made carefully by the Special Commission.

Finally, we appear to have roughly the same proposal coming out of the statement this morning with respect to the issue of long-term monitoring. Again, long-term monitoring plans presented by the Council to Iraq and approved in resolutions which are mandatory are clearly not subject to negotiation. Such efforts are not in keeping with mandatory resolutions, and we continue to expect a full and clear Iraqi commitment to comply.

(Mr. Pickering, United States)

A drawn-out discussion and negotiation of compliance with resolutions is certainly not in the interest of regional peace and stability, and it is not - at least in our view - the intention of the members of the Council, nor is it is provided for in the resolutions with which Iraq must comply.

It is disappointing that the Iraqi statement made no serious effort to address the numerous outstanding questions in the minds of the members of the Council, some of which I will turn to in a minute. At the end of his statement the Deputy Prime Minister must clearly have understood this, and we, on our part, welcome his commitment to address these questions - with, one hopes, his answers - tomorrow morning. We look forward in that regard to hearing what he has to say.

Finally, other portions of the statement merely seem to repeat the old and tired arguments of the past. In that respect we saw very little that was new in the statement, and it did not serve to advance the process of Iraqi compliance, which is, again, deeply disappointing.

We are also disappointed, as are others, that nowhere in the Iraqi statement this morning did we see references to resolution 688 (1991), to the United Nations important role in providing humanitarian assistance to the citizens of Iraq, or a discussion of what Iraq will do to alleviate the plight, particularly of the Kurds and the Shi'a.

(Mr. Pickering, United States)

This only serves to lend greater credence to our fears about Iraq's refusal to observe universal standards of human rights and its oppression of the Kurds and Shi'a, its own citizens, unfortunately in their own country.

On the other hand, we react positively to the one small portion of the statement in which the Deputy Prime Minister seemed to break new ground by promising, starting today, to publish the names of missing persons in several Iraqi newspapers once a week for a period of several weeks. We could only hope that Iraq would comply rapidly with the rest of its obligations with the same degree of directness. This especially includes providing unrestricted access to the International Committee of the Red Cross (ICRC) to all Iraqi prisons and places of detention.

Iraq has made frequent references to its sovereignty and to internal affairs. However, Iraq knows as well as all of us that the Council is operating with regard to its resolutions on Iraq under Chapter VII. Such resolutions are mandatory and fall under the last portion of paragraph 7 of Article 2 of the Charter, which makes it clear that the principle of non-intervention "shall not prejudice the application of enforcement measures under Chapter VII". The measures that Iraq complains of are clearly enforcement measures under Chapter VII.

It is clear that the author of all this destruction and difficulty is Iraq itself. Iraq was frequently warned by the Council to cease its aggression and to abandon its illegal occupation of Kuwait. Iraq brought these measures upon itself and Iraq now holds the key to their relaxation. It is clear that Iraq must comply with the Security Council resolutions. Attacks on the views of the members of the Council and attacks on the cohesion of the Security Council and most particularly on the independence of its individual

(Mr. Pickering, United States)

members are not the way to achieve a change in the present situation. Similarly, attacks on the Special Commission and the IAEA do not assist.

As I said this morning, Iraq should begin by committing itself to full compliance and then to immediately taking on the follow-up actions rapidly and expediently to carry out that compliance. Unfortunately, nothing we have heard here today so far suggests that Iraq understands this need. It is clear that Iraq has not yet fully complied with the resolutions. But again, we hope to hear tomorrow as we did not today that Iraq intends to do so.

Now I should like to turn, in the light of our session planned for tomorrow morning, to a few questions which we believe clearly need answers.

First, on weapons of mass destruction, is Iraq ready to make full, final and complete disclosure of its programmes of weapons of mass destruction, and when will it do so?

Secondly, is Iraq prepared to commence destruction of its ballistic missile production and repair facilities, as requested by the Special Commission's letter of 14 February and under United Nations supervision, and will it do so immediately?

Thirdly, will Iraq return to the IAEA the nuclear documents seized from and never returned to the sixteenth Special Commission inspection team in September 1991, and will it do so immediately?

Fourthly, will Iraq today provide unconditional acceptance of the long-term monitoring and verification plans laid out in resolution 715 (1991) and make the required declarations of its equipment and facilities? When will Iraq begin to observe the full range of privileges and immunities to be accorded to the Special Commission and to the IAEA?

With respect to the boundary demarcation and border posts, does Iraq now recognize its obligations to accept the work of the Boundary Commission to

(Mr. Pickering, United States)

demarcate the Iraq-Kuwait border? Will Iraq remove immediately its border police posts from the Kuwaiti side of the border on the map used by the United Nations Iraq-Kuwait Observer Mission?

With respect to detainees, refugees and humanitarian interests, will Iraq resolve as soon as possible the matter of missing Kuwaitis, Saudis, and missing third-country nationals from the Gulf war by conducting detailed documented searches for those missing and sharing the full results of those searches with the ICRC; by providing to the ICRC information on Kuwaitis and third-country nationals who died while in custody; by granting the ICRC unrestricted access to all Iraqi places of detention in its effort to trace the missing? When will Iraq meet the humanitarian needs of the Iraqi people by implementing resolutions 706 (1991) and 712 (1991)? When will Iraq permit the establishment of United Nations humanitarian centres throughout Iraq, including Kirkuk and Mosul? When will Iraq guarantee the United Nations humanitarian programme unrestricted access to vulnerable groups throughout Iraq?

As to Iraqi economic blockades within its own country, when will Iraq dismantle the checkpoints blocking roads into northern Iraq and lift the blockade in northern Iraq? When will Iraq allow Iraqi citizens formerly resident in the Kirkuk area to return to their homes and businesses? Will Iraq cease attacks on civilians, including artillery bombardment of urban areas? And when will Iraq and the Iraqi military end their encirclement of the southern marsh area, a de facto blockade confining up to 500,000 persons, and permit the United Nations to visit?

On the return of property, when will Iraq make a final accounting of and return of all both military and non-military property taken from Kuwait? And, finally, when will Iraq begin providing the Secretary-General and appropriate

(Mr. Pickering, United States)

international organizations a monthly statement of Iraq's gold and foreign currency reserves, as required by resolution 706 (1991)?

Mr. MENON (India): The Deputy Prime Minister of Iraq, Mr. Tariq Aziz, has provided the Council with details of his country's position on various aspects relating to the implementation of Council resolutions. I should like to refer to one issue of humanitarian concern that members of the Council and Mr. Aziz have spoken of - the repatriation of Kuwaiti and other nationals from Iraq. My delegation raises this issue consistent with its stand that the overall humanitarian aspect demands special attention and redress.

It appears to my delegation that, besides the problem of identification, registration and actual repatriation, there is a clear divergence of views on what has been done so far and what further needs to be done. The Deputy Prime Minister has stated his country's willingness to scrutinize this issue in detail with the International Committee of the Red Cross (ICRC) and with other authorities concerned with a view to expediting repatriation. Concentrated and effective action in this regard is of great importance, given the suffering and anxiety of those involved.

Against this backdrop, the question we would like to pose is the following: Could Mr. Aziz throw further light on this with a view to confirming that Iraq will be able in the very near future to expedite full repatriation of Kuwaiti and other nationals in cooperation with the ICRC?

Mr. MERIMEE (France) (interpretation from French): I regret to have to say that my delegation cannot regard as acceptable the comments made by Mr. Tariq Aziz, for they do in fact challenge the resolutions of the Security Council and the mechanisms laid down and endorsed in those resolutions.

(Mr. Mérimée, France)

Having made this general comment, my delegation would confine itself to three questions, which, we think, relate to the most important issues.

My first question is on the obligation that Iraq has to give a full and complete picture of its military programme. From the various reports, inter alia that from the Special Commission, we think that this full picture has not been provided. The French delegation's question is as follows: When will Iraq be able to provide this full picture?

My second question is just as straightforward. When will Iraq make known to the Security Council its unconditional acceptance of the monitoring plan approved under resolution 715 (1991)? My delegation would be happy if, at tomorrow's meeting, the Iraqi delegation could solemnly enter into that commitment.

My third and final point is that my delegation noted that Mr. Tariq Aziz, in his statement this morning, refrained from mentioning resolution 688 (1991) or the particular difficulties obtaining in some regions of Iraq. My delegation would like to know the reasons for the impediments which the Iraqi Government continues to put in the way of the opening of United Nations humanitarian centres in Kurdistan and in the south of the country. My delegation asks the Iraqi Government when it will open those centres and when it will lift the blockade it has imposed on part of its population.

The PRESIDENT (interpretation from Spanish): As there are no further speakers on my list, I shall now suspend the meeting until tomorrow, Thursday 12 March, at 10.30 a.m.

The meeting was suspended at 6.45 p.m.

UNITED
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Security Council

PROVISIONAL

S/PV.3059 (Resumption 2)
12 March 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
AND FIFTY-NINTH MEETING (Resumption 2)

Held at Headquarters, New York,
on Thursday, 12 March 1992, at 10.30 a.m.

President:	Mr. ARRIA	(Venezuela)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. BARBOSA
	China	Mr. LI Daoyu
	Ecuador	Mr. AYALA LASSO
	France	Mr. MERIMEE
	Hungary	Mr. ERDOS
	India	Mr. GHAREKHAN
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	Russian Federation	Mr. LOZINSKY
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Zimbabwe	Mr. MUMBENGEGWI

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The meeting resumed at 10.45 a.m., Thursday, 12 March 1992.

The PRESIDENT (interpretation from Spanish): In keeping with the request made yesterday by the Deputy Prime Minister of Iraq, His Excellency Mr. Tariq Aziz, I intend to afford him the opportunity now to make a statement in response to the introductory statement made by the President on behalf of the Council and to the questions and concerns expressed by the members in the course of the Council's deliberations yesterday. I call on the Deputy Prime Minister of Iraq.

Mr. AZIZ (Iraq) (interpretation from Arabic): With your permission, Sir, I should like to begin by commenting on the statement you read out yesterday as President of the Security Council. I shall then answer the questions put by several members of the Council.

The President's statement made reference to the reports of the Secretary-General dated 25 January 1992 and 7 March 1992 on the status of Iraq's compliance with the obligations placed upon it; it refers to general obligations and specific obligations. It is my understanding that the Secretary-General's reports and the President's statement both concentrated on specific obligations, and I shall address these in turn.

The first concerns respect for the international boundary. There is no fundamental problem here. There is a minor problem: the withdrawal of five police posts. Iraq has asked that this be deferred until the demarcation of the boundary has been completed. The statement notes that the area has been calm since last October.

The second point, made both in the President's statement and in the reports of the Secretary-General, and on which the Council placed importance and expressed interest, concerns weapons.

(Mr. Aziz, Iraq)

First, with respect to the destruction of weapons and their sub-systems, we should like to reaffirm what we said in our statement yesterday: all weapons prohibited under resolution 687 (1991), and their sub-systems, have been destroyed.

Secondly, with respect to programmes and other data related to weapons, we are ready to make full, complete and comprehensive declarations and disclosures of all programmes relating to resolution 687 (1991). We are ready to make full, comprehensive and final declarations concerning all aspects of resolution 687 (1991). We are ready immediately to begin detailed technical meetings with the Special Commission and the International Atomic Energy Agency (IAEA) with a view to completing the plan and the programme for each of these programmes, provided that we define a limited time period before the Security Council for that task. Afterwards, we would return to the Council to make a report on the matter.

Another point relates to the phrase "destruction ... or rendering harmless" (resolution 687 (1991), para. 8) of the relevant equipment. Iraq is committed to the provisions of resolution 687 (1991) as they stand. Iraq reiterates the observation made in our statement yesterday that the current interpretation of this subject is not in line with the text of the resolution. Destruction must be limited to equipment that can be used only in the production of prohibited weapons. I call on the Council to meet Iraq's legitimate request with respect to other equipment that can be used for civilian purposes or other purposes that have not been prohibited: that this equipment be rendered harmless or converted to civilian purposes or to other purposes that have not been prohibited, and that provision be made to verify their use in those ways.

(Mr. Aziz, Iraq)

With respect to such verification and to future verification, Ir, through its acceptance of resolution 687 (1991), has accepted the priiple of verification of compliance in the future.

Iraq reaffirms its statement of yesterday: that Iraq's requirem ts of national sovereignty and territorial integrity be respected. Iraq as the Security Council to guarantee these principles. I request that note taken of what I said yesterday in that regard. Understanding by the Counci f the principles and foundations of the legitimate requests made by Iraq in r statement would lead to the fair, just and objective fulfilment of th essential obligations placed upon Iraq in resolutions 707 (1991) and 715 (1991) in such a way as to reassure the Council.

My delegation is ready to engage in constructive and objective d logue with the Special Commission and the IAEA with a view to providing the information that has been requested and to agreeing on practical arra ements falling within the framework of the mandate and objectives defined by he Security Council - but not going beyond them to serve either politica r intelligence purposes.

The third point in the President's statement, which was addresse y several representatives, relates to detainees. In my statement yeste y, I said that in an official memorandum dated 20 February 1992 addressed the International Committee of the Red Cross (ICRC) we requested the ICRC complete this task in a comprehensive manner and to take any necessar teps to verify the facts.

(Mr. Aziz, Iraq)

In our memorandum we said that the competent Iraqi authorities are ready to take all necessary measures to publish in Iraqi newspapers the names of the missing persons whether they are Kuwaitis, Saudi Arabians or other nationals; that the authorities are ready to arrange for visits by ICRC representatives to prisons and detention camps in accordance with the rules and the Geneva Conventions; and, as I mentioned yesterday, that the authorities are ready to discuss the details of the publication and the visits in talks with the head of the ICRC mission.

In your statement, Sir, you referred to Iraq's liability under international law. The Council is aware that Iraq has accepted the resolutions dealing with this question. It is worth mentioning in this regard that provisions in the resolutions provide for Iraq's liability under international law. This means that we must take into account the rules of international law when applying these provisions so that when we ask for compensation under international liability it should be based on international legal provisions, which call for justice and fairness.

Foremost among these provisions is that the demands should not be vengeful or a way of seeking purely material gain as, for example, in the case of unsubstantiated claims. Iraq is not represented in any way in the machinery that deals with these claims. Moreover, it is our understanding that this is not compatible with international law and precendents in this respect. It is very important that we observe due process in law, which provides that we should establish a relationship between fault and damage, that compensation would be the direct outcome of that liability inasmuch as fault is linked to liability. These elements are not provided for in

(Mr. Aziz, Iraq)

international law when handled by one party; justice demands proof, and as regards proof, the concerned party should be represented directly.

Your statement, Sir, refers to various other questions, for example, the responsibility of Iraq vis-à-vis debts and interest. How can Iraq now repay debts and interest when there is an all-out embargo against it? I declare here, before the Council, that Iraq respects its obligations vis-à-vis lender countries. Iraq cannot repay these debts or service the interest on them if the blockade is not lifted and it cannot export its oil and recover its normal economic situation.

Regarding this point and the comments made by the representative of the Russian Federation, I should like to note that we have informed his Government that Iraq respects its obligations towards it. We have informed a number of countries that we are ready and willing to repay our debts towards them in crude oil. As far as I know, one or more of those countries have contacted the Committee on sanctions and have asked the Council and the Committee to approve the delivery of Iraqi crude oil as repayment for Iraq's debts. The Committee on sanctions has yet to review these requests. Therefore, Iraq cannot bear any responsibility in that regard. However, Iraq remains committed to its obligation towards the countries to which it is indebted.

As to the return of property, I should like to refer to a point you made in your statement yesterday, Sir, when you said:

> "The members of the Council have noted with satisfaction that, as stated in the further report of the Secretary-General, Iraqi officials involved with the return of property have extended maximum cooperation to the United Nations to facilitate the return." (S/PV.3059, pp. 16-17).

We believe that this is perfectly clear.

(Mr. Aziz, Iraq)

The seventh and eighth points that were raised in the statement and dwelt on by a number of members concern monthly statements on gold and foreign currency reserves in keeping with resolutions 706 (1991) and 712 (1991). I should like to deal with those resolutions in detail. Under the provisions of resolution 687 (1991), Iraq requested the Council and the Committee on sanctions to be allowed to export a quantity of oil enabling it to meet the human and basic needs of the Iraqi people, particularly in terms of food and medicine. When Prince Sadruddin Aga Khan visited Iraq as head of the mission of the Office of the United Nations High Commissioner for Refugees last summer, we discussed this question with him.

(Mr. Aziz, Iraq)

He said that some members of the Security Council had expressed doubt as to Iraq's intentions if it were allowed to export a certain quantity of its oil in order to finance its legitimate food and medicine needs. These members claimed that Iraq might use the money for purposes other than purchasing food or medicine. In that meeting, the Prince was accompanied by three persons: Mr. Richardson, an American and former Attorney General; Sir John Moberly, a former British Ambassador to Iraq; and a third person of French nationality whose name I do not recall. I told them that there was a practical way of dispeling any doubt that Iraq might use the money for purposes other than purchasing food and medicine.

We are ready to sell oil to countries members of the Security Council. Many members of the Security Council were formerly purchasers of Iraqi oil, including the United States, which, prior to August 1990, used to purchase 700,000 barrels a day. France, India, Japan, the former Soviet Union and other countries, permanent and non-permanent members of the Security Council alike, were also our customers. These countries, which took part in the adoption of the Council's resolutions, can personally keep track of the amounts of oil they purchase and can so inform the Council.

We are ready to buy food and medicine from these same countries. We used to purchase an estimated $1 billion to $1.7 billion of foodstuffs on the United States market. We used to purchase most of our medicine and medical supplies on the British market. We used to purchase a great amount of food and medicine from France as well. These are three permanent members of the Security Council. We are ready to confine our purchases to the permanent members of the Security Council so that they can determine whether we are spending our revenues on food and medicine or on weapons. Thus can we dispel all doubts and concerns.

(Mr. Aziz, Iraq)

Unfortunately, these ideas were laid out in resolution 706 (1991), a resolution adopted under Chapter VII with the aim of allowing Iraq to export a limited amount of oil to fill its need for food and medicine. This resolution has political implications that would wittingly or unwittingly lead to interference in Iraq's internal affairs. We cannot accept this question being turned into a political game to achieve political objectives that have nothing to do with the Security Council's objectives.

However, if the Council remains prepared to look into this question, we remain willing to respond. We are ready to enter into serious and practical talks with the Secretariat in order to find a solution to the question of Iraq's exporting an adequate amount of oil to meet the basic humanitarian needs of its people in an open and transparent operation monitored by the United Nations. We are ready to enter into practical arrangements that would provide complete and unambiguous transparency allowing the Security Council and the United Nations to ensure that the revenues from that oil be used only to purchase food, medicine and other basic human needs approved by the sanctions Committee.

I was asked if Iraq is ready to pursue the contacts begun in Vienna last February. The answer is yes. We are ready, but without preconditions. We are ready to enter into an open dialogue without prior conditions in order to achieve a machinery on agreed arrangements leading to the export of an appropriate amount of Iraqi oil and to securing transparency on future imports and exports.

I hope in this regard that the Council will not renew resolution 706 (1991). I hope that the Council will be able to separate this operation from any new resolution. Including it in a Council resolution is impractical,

(Mr. Aziz, Iraq)

in addition to the political aspects to which I referred. There are also practical considerations concerning the machinery Iraq may agree upon with the United Nations; we may run into problems when we begin to implement such machinery. We can deal with those problems through a dialogue with the Secretariat rather than returning once again to the Council, where we risk running into complications involving another resolution adopted under Chapter VII of the Charter.

(Mr. Aziz, Iraq)

The President's statement referred to resolution 688 (1991). A number of representatives talked about the Kurds and the Shi'ites, and the alleged blockade against the three governorates and the international relief effort. We have considered, and we still consider, resolution 688 (1991) to be blatant interference in the internal affairs of Iraq. This is our position of principle vis-à-vis this resolution.

However, in spite of this, when the Secretary-General of the United Nations proposed sending a special representative to coordinate the relief effort and named Prince Saddrudin Aga Khan for this mission, Iraq cooperated. Last year, we signed with him a memorandum of understanding, which expired in December 1991 and was renewed for six more months, ending next June. During this period there have been positive business relations between us and the Prince and his representatives, and then with the people who took on the responsibility after the Prince's mission ended.

The international relief efforts are being carried out on a certain scale in Iraq, and the Iraqi authorities are cooperating with all international agencies and organizations extending aid and assistance to our people in all areas of Iraq.

It has been alleged that a blockade was imposed on three governorates. I should like to make the following clear before the Council: Last April, we started a dialogue with the Kurdistan Front. This dialogue continued from April to August. Because of this constructive dialogue, which took place in Baghdad and in which the leaders of the Kurdish parties, Mr. Massud Barzani, Mr. Jalal Talabani and others, took part, we were able to reach a new, developed formula for autonomy for the Kurds in Iraq. We also reached an agreement on normalization of the situation in Kurdistan, that is, an agreement to solve all problems of the previous years.

(Mr. Aziz, Iraq)

At the end of the dialogue, in August, the leadership of the Kurdistan Front asked to go back to Kurdistan to study the outcome of the dialogue. They went there, and I affirm before the Council that they were asked to send a delegation to a number of capitals. A delegation headed by Mr. Jalal Talabani went to Washington and to London, and after his return from these two capitals we were told that the leadership of the Kurdistan Front was not then ready to sign the agreement.

Thereafter, there were acts of sabotage and destruction against the Government authorities in that area. This made it imperative on the Government to withdraw the administrative apparatus from Suleimaniya, Erbil and Dohuk: they were no longer able to assume their normal functions as an administrative apparatus. The withdrawal of that administrative apparatus from the governorates led to the Government's being unable to pay directly the salaries of employees living in Erbil; that is, the accountant cannot pay the salary of a salaried employee in the city of Erbil, but that employee can come to Mosul or Kirkuk, where there is an administrative apparatus, an administrative authority, that can can pay the employee's salary.

This also applies to the supplies rationed by the Government. The Government cannot distribute these rations in villages and cities where there is no administrative apparatus. We distribute in a just, fair and comprehensive manner in all areas that are under the authority of the Government - that is, where there is a Governor, a representative of the Ministry of Trade, a police station and other administrative apparatus.

What are we doing in other cases? Rations for the three governorates are given to certain caterers in the area. They receive these rations, and we have no idea how they distribute them. This area is controlled by Kurdish

(Mr. Aziz, Iraq)

parties. Therefore, they bear the responsibility for the fairness and comprehensiveness of the distribution; whether quantities are stolen or given to the citizens is not the responsibility of the central Government.

There is no blockade of these provinces. I say there are precautionary measures. The representative of the United States referred to the presence of checkpoints. Yes, they exist. But what is their task? A United States Senator visited that area, and said that Iraq was violating Security Council resolutions. He said that he had gone to Suleimaniya and had found a large number of tractors, trailers and cars; he said that Iraq wanted to export them to Iran and was therefore violating the boycott.

(Mr. Aziz, Iraq)

The fact is that that equipment, which is very important for the life of the Iraqi people, was there not because the central Iraqi Government wanted to export it to Iran, but because it had been stolen from the State or from citizens and moved there to be smuggled into Iran and sold there. We are a country under siege. When a car is stolen from Baghdad or a tractor is stolen from Mosul, or when any other equipment is stolen, we cannot make up for it; we cannot buy more. If it has been moved to the northern part, where we have no authority, where we do not have any police, any customs, it is then smuggled into Iran and other countries.

We have a right to protect the wealth of our people by establishing checkpoints. When a person wants to move a tractor from Baghdad, Arbil or Mosul, we ask him "Why? What are you going to use it for there?" If his papers are valid and if his position is perfectly clear we allow him to do it, but if he wants to smuggle it is only natural that we prevent him from doing so. These are precautions aimed at protecting the property of the Iraqi people and the Iraqi State.

Using the pretext of the abnormal situation in the north, allied forces stayed there for several months. Then they withdrew. They are now stationed at the Incirlik base in Turkey. Allied aircraft fly on reconnaissance missions in the area. They sometimes fly at a very low altitude over Mosul, in a very provocative manner. They do so on Fridays during prayers, in a manner that spreads terror among the civilian population. These provocative raids have caused certain abortion cases among pregnant women. The Security Council did not ask for these reconnaissance flights. Three countries took that decision unilaterally. Does reconnaissance require these provocative flights at a very low altitude, spreading terror among the civilian population?

(Mr. Aziz, Iraq)

Some people have talked about the so-called Shi'ite problem in Iraq and the persecution of the Shi'ites. Before the Council and before history I should like to recall a fact known by every Iraqi Arab and Muslim - that since the dawn of Islam there has been nothing that can be described as a sectarian war, such as those that were waged in Europe between the Catholics and the Protestants. That is a fact known by every historian who has any idea about Arab or Islamic history. Yes, there are schools of thought - religious schools, philosophical schools - in Islam, but those doctrines have never in the history of Islam or in Arab history led to sectarian wars. I affirm Islamic and Arab history: they have never been turned into sectarian strife.

Iraq is 6,000 years old. This ancient civilization has resulted in a diversity of population, culture and religion. That is a fact. Iraq is composed of Arabs, Kurds, Turkmen - a minority that speaks the old Turkish dialect - Muslims, Sunnis, Shi'ites, Christians, Catholics - Orthodox, Protestants, Anglicans. It is a diverse society of sects, religions and nationalities. But this society has never engaged in sectarian strife or sectarian war.

Life among all the Iraqis is based on brotherliness. There may be some political differences, but never on the basis of religious doctrine - Sunnis, Shi'ites, Christians or Muslims. Those who talk about this problem are making unjust allegations against Iraq, using them for political aims.

There is no Shi'ite problem in Iraq. Look at this delegation of ours. We did not choose it on a sectarian basis. We named the delegation in accordance with responsibilities. The delegation, representing the Iraqi Government, is headed by a Deputy Prime Minister who is Christian - Catholic. It is composed of ministers, ambassadors and technicians who are Shi'ites,

(Mr. Aziz, Iraq)

Sunnis and Kurds. This is our life in Iraq. We do not have sectarian strife inside Iraq. Any allegation that we have is a lie aimed at achieving a political objective, that of destabilizing the Iraqi Government.

As regards the situation in Al Ahwar: Al Ahwar is a swamp area in the marshes adjoining a neighbouring country. In the marshes there are forests of reeds. In that area criminals may hide, outlaws may seek refuge and there may be other persons who may have political objectives. As I have said, the area is adjacent to a neighbouring country, Iran. It is regrettable that Iran still plays the game of interfering in Iraq's internal affairs. This is the problem of the marshes. Do not the authorities have the right to take measures to stop armed people coming from a neighbouring country to destabilize Iraq? Yes, the authorities have that right; they have the right to take precautions to preserve security and stability in the country and the area.

Finally, there was a reference to terrorism. Iraq has affirmed its commitment in this respect. Iraq has never practised terrorism. There is not a single piece of evidence that Iraq has taken part in such operations.

(Mr. Aziz, Iraq)

I come now to my final comment on your statement, Mr. President.

I should like to make what I regard as a legitimate request. The Security Council meets once every two months to review the situation of Iraq's compliance with provisions of Security Council resolutions. After this review, it passes judgement. We would request that the Council allow us to appear before it every two months to take part in that review. We ask the Council to give us an opportunity to explain our position on matters of interest to it. If comments are made on the extent of Iraq's compliance with one or another provision in a resolution, let us have an opportunity to explain our position. The Council has given us such an opportunity yesterday and today, and we feel that it has been invaluable. We appreciate this opportunity and are very grateful to the Council for having given it to us.

Yesterday I was asked various questions by representatives in the Security Council.

The representative of India referred to the question of detainees. I hope that the clarification I have made in this statement will suffice. I should like to state to the representative of India that Iraq will do its utmost to solve this problem. We have said that we have given the file to the Red Cross - in other words, we have turned the whole task over to the Red Cross, in order that the International Committeee of the Red Cross may carry out all the investigations and take all the measures necessary to put an end to this question and submit a report to the Security Council on it.

The representative of France put three questions. First, he asked when Iraq would provide a full and complete picture of Iraq's military programme. In my statement yesterday and in the clarifications I have made this morning,

(Mr. Aziz, Iraq)

I have said that we are ready to enter immediately into talks with th pecial Commission and the International Atomic Energy Agency with a view to ally achieving this full and complete picture.

Secondly, the representative of France asked when Iraq would inf the Security Council of its unconditional acceptance of the monitoring pl set out in Security Council resolution 715 (1991). I dealt with this matt in my statement yesterday and have done so again this morning. I believe th the proposals and clarifications I have made require no further explanatic

The third question by the representive of France had to do with resolution 688 (1991). I hope that my statement this morning has cove d this question as well.

I shall now deal, one after the other, with the questions put by e representative of the United States. His first question was:

(spoke in English)

"... is Iraq ready to make full, final and complete disclosure of ts programmes of weapons of mass destruction ...?" (S/PV.3059 (Resumption 1), p. 162)

(spoke in Arabic)

I have answered that question in my statement this morning.

The second question put by the representative of the United State

(spoke in English)

"... is Iraq prepared to commence destruction of its ballistic mi ile production and repair facilities, as requested by the Special Commission's letter of 14 February and under United Nations supervision ...?" (ibid.)

(Mr. Aziz, Iraq)

(spoke in Arabic)

Again, in my statements today and yesterday I have made proposals in regard to that question. We have referred to basic points of principle that we hope the Security Council will take into consideration. In particular, I should like to state that we should achieve a full, comprehensive list.

Thirdly, the United States representative asked:

(spoke in English)

"... will Iraq return to the IAEA the nuclear documents seized from and never returned to the sixteenth Special Commission inspection team in September 1991 ...?" (ibid.)

(spoke in Arabic)

We do not have these documents; they do not exist. We are ready to engage in a dialogue with the IAEA on this matter.

The next question by the representative of the United States related to resolution 715 (1991). I have dealt with it in my statement this morning and in my statement yesterday.

The representative of the United States put a question on the boundary demarcation. The report made to the Security Council did not refer to any of these problems. Indeed, it is regrettable that some members of the Council think that there were problems. The fact is that the statement by the President and the report of the Secretary-General never referred to any of these problems. I believe we should leave the matter there.

Another question by the representative of the United States had to do with the five police posts. I have dealt with that in my statement today.

(Mr. Aziz, Iraq)

The next question by the representative of the United States was in three or four parts; it had to do with detainees, refugees and humanitarian interests. I have dealt with that question in my statements yesterday and today.

The representative of the United States put a question on resolutions 706 (1991) and 712 (1991). I have also covered this in my statements. He asked:

(spoke in English)

"When will Iraq permit the establishment of United Nations humanitarian centres throughout Iraq, including Kirkuk and Mosul?" (ibid., p. 163)

(spoke in Arabic)

The memorandum of understanding signed with the United Nations clearly provides that these centres should be established with the approval and acceptance of the Iraqi Government and in cooperation with that Government. In other words, the opinion of the Iraqi Government must be taken into account in the establishment of these centres. It is also worth noting that, contrary to the content of this question, there is a centre in Mosul. As part of this same question, the representative asked:

(spoke in English)

"When will Iraq guarantee the United Nations humanitarian programme unrestricted access to vulnerable groups throughout Iraq?" (ibid.)

(spoke in Arabic)

There is no problem in this respect. I have said that we are cooperating with the agencies of the United Nations in the appropriate way.

The representative of the United States asked a question on the checkpoints. I have answered that question.

(Mr. Aziz, Iraq)

The representative of the United States also asked when Iraq would allow the inhabitants of Kirkuk to return to their homes and businesses. May I be permitted to say that this question was based on false press reports circulated by certain quarters. Not a single Iraqi citizen has been prevented from returning to his home or his business - not in Kirkuk, not in Baghdad, not in Al Najaf, not in Mosul. All Iraqis are treated equally before the law. Certain measures have, however, been misinterpreted. I should like to give an example.

(Mr. Aziz, Iraq)

A citizen who has lived in and is registered in Baghdad since 1977 has the right to own property in Baghdad. A citizen who moved to Baghdad after 1977 may live there, but cannot own property there, whether he be Kurdish, Iraqi, Sunni, Shi'ite, Christian or Muslim. Our goal is not discrimination; it is to limit migration from the rural to the urban areas. Such migration is a trend from which all third world countries are suffering. Our regulations are not based on any kind of discrimination; they are simply intended to ensure that the trend does not continue.

Another question was not really a question at all, but an accusation:

(spoke in English)

"Will Iraq cease attacks on civilians, including artillery bombardment of urban areas?" (supra, p. 163)

(spoke in Arabic)

That is an accusation, not a question, and I reject that accusation.

There was a question on the marsh areas, and I have dealt with it. The next question was

(spoke in English)

"when will Iraq make a final accounting of and return of all both military and non-military property taken from Kuwait?" (ibid.)

(spoke in Arabic)

That question was dealt with very clearly in the report: Iraq has already returned most of this property, some of which was military property.

There was a question on resolution 706 (1991), with which I have dealt comprehensively.

I turn now to the questions put by the representative of the United Kingdom. At the beginning of his statement the representative of the United Kingdom commented cynically on the remark by Mr. Ahtisaari to which I had

(Mr. Aziz, Iraq)

referred in my statement: when Mr. Ahtisaari came to Iraq he spoke of Iraq as having been propelled back into the pre-industrial age and remaining there for a long time. The representative of the United Kingdom wondered how that could be true if Iraq was still pursuing a nuclear programme. I can tell the Council that Iraq was not pursuing any industrial programmes, whether civilian or military, when Mr. Ahtisaari was in Iraq. True, certain equipment remained from earlier days, but Iraq

(spoke in English)

was not activating any function or any activity in this field or in any other field.

(spoke in Arabic)

When Mr. Ahtisaari visited Baghdad in March 1991 there was no electricity to power the plants; there was not enough fuel even for people's cars. Water-purification plants had been bombed. Bridges in the capital and even in remote villages had been destroyed. The description by Mr. Ahtisaari - who, by the way is not Iraqi or a member of the Iraqi Ba'ath Party - was based on what he and his party saw: they were fair-minded and described what they saw.

The first question of the representative of the United Kingdom referred to the four points I set out in my statement relating to Iraq's readiness to continue cooperating, to provide new information and so forth. He stated that I had indicated our willingness to act on those four points:

> "Iraq is willing to do this on the basis of respect for its sovereignty and dignity and non-infringement upon its national security, and thus not allowing the objectives stipulated in resolution 687 (1991) to be turned into a means of preventing our people and country from living their free, normal life like all other free peoples in the world". (supra, p. 103)

(Mr. Aziz, Iraq)

(spoke in Arabic)

The representative of the United Kingdom asked if these were conditions, with the left hand taking away what the right had just given. I would tell that representative that like every other free country in the world - and Iraq is a free, independent country, and has long cherished its independence, as the representative of the United Kingdom knows - Iraq will not negotiate its independence or its sovereignty. These are not matters for bargaining.

Yes, we are ready to cooperate with the Security Council; yes, we are ready to cooperate with the Special Commission; yes, we are ready to cooperate with the IAEA: to achieve the objectives set out in resolution 687 (1991). But we shall not bargain over our sovereignty; we shall not bargain over our right to live as a free, independent people, a people that has been contributing to human civilization for 6,000 years.

The representative of the United Kingdom said that

(spoke in English)

the statement of Tariq Aziz referred only to the equipment covered by the provisions of paragraph 8 of resolution 687 (1991). He said that excluded the nuclear equipment covered by paragraph 12 of resolution 687 (1991) and asked whether this was a deliberate omission or an oversight.

It was an oversight, Mr. Ambassador: I was dealing with the report of 28 February, not addressing other issues. We have accepted resolution 687 (1991), and that acceptance is comprehensive.

(spoke in Arabic)

In his next question, the representative of the United Kingdom said that

(Mr. Aziz, Iraq)

(spoke in English)

Mr. Tariq Aziz suggested that the Security Council should be involved in technical discussions on weapons of mass destruction. He said it must be clear from the President's opening statement and from the presidential statement of 28 February that it is not for the Council to become involved in the detailed decisions of the Special Commission and the IAEA. He asked whether, if decisions were taken by the Special Commission and the IAEA, Iraq would implement them. That is hypothetical.

(spoke in Arabic)

We have submitted to the Council certain legitimate, logical suggestions and proposals; we are still waiting for the Council to consider them. We hope the Council will consider our legitimate, logical and practical requests and our proposals based on principle. We are here in New York ready to continue our contacts with the Special Commission, the IAEA and the Security Council in order to reach a fair and equitable solution in keeping with the letter and spirit of resolution 687 (1991) on this subject.

I dealt with the fourth question in my discussion of resolution 706 (1991).

I thank you, Mr. President, and the other members of the Council for your attention and for giving me this opportunity to address the Council today to reply to yesterday's questions. I repeat that I stand ready at this meeting or at any future meeting to answer any other question members may wish to ask. We want to arrive at a clear understanding of everything connected with the provisions of resolution 687 (1991).

(Mr. Aziz, Iraq)

We do not wish to leave any confusion between us and the Council in that regard. We should like to separate the accusations, doubts and political positions from the factual realities relevant to the implementation of the provisions of the resolution. This is our objective and has been our objective ever since we arrived in New York. I have told this to the press, to you, Mr. President, and to the Secretary-General. Moreover, I have reconfirmed today that we are on a good will mission. We shall continue to act accordingly.

The PRESIDENT (interpretation from Spanish): Does any member of the Council wish to address further questions to the Deputy Prime Minister of Iraq?

Mr. PICKERING (United States of America): Obviously, much of what we have heard this morning presents us with a great deal of material, a seeming sense that there may be some new elements. Essentially, I heard a repetition of a great deal of what has been said before. There are some obvious changes. We would all welcome, once again, the reopening of contacts between Iraq and the Secretariat - previously shut down by Iraq - on the implementation of resolutions 706 (1991) and 712 (1991).

We have known for some time and indeed your statement, Mr. President, and mine indicated that we were both aware of specific written acceptance by Iraq, dated 11 April 1991, of commitments under resolution 687 (1991). We wonder why we are still here talking about Iraq's commitments and obligations under that resolution being fulfilled. And, once again, we hear, unfortunately, that Iraq wishes to meet and negotiate these commitments. Once again, there is broad and general acceptance of a resolution, but with all kinds of new provisos, reservations, pre-conditions and so forth. Once again, I would

(Mr. Pickering, United States)

remind the Deputy Prime Minister of Iraq that these are mandatory resolutions, which must be complied with in full, and that there has now been a long period of 11 months during which extensive discussions have been held with the Special Commission and the IAEA - all of which have, I think, made clear what is required.

There is a seeming indication that a little negotiation will provide a full and complete declaration. But, of course, it is Iraq that knows what it had in its arsenal, what it was building and what production equipment was available to do so on 2 August 1990 and indeed on every single date and at every single hour subsequent to that time. We still have not seen that list: It is not up to the Special Commission to produce that list: it is up to Iraq. Similarly, it is Iraq that is to cooperate in the destruction of the programmes. After extensive discussion with the Special Commission, Iraq is still resisting the destruction of the essential elements of the production machinery for its ballistic missile programme.

Finally, it appears, once again, that Iraq wishes to sit and negotiate with us over the long-term monitoring programme - as if the provisions were not clear. That programme is contained in Council resolutions and has been set forth clearly by the Special Commission and the IAEA. We would have liked to hear a full, clear, uncomplicated and basic commitment on Iraq's part to accept that programme and comply with it.

There are many other areas of discussion, some of which I think are quite interesting. Nevertheless, I am left with the final and unfortunate conclusion that with respect not only to weapons of mass destruction, but also to all the other elements of the resolution, including the very important humanitarian elements, we are once again in a cat-and-mouse game: there is

(Mr. Pickering, United States)

every willingness to discuss at great length but no willingness to accept the need for compliance, much less to begin the actions to comply. I think this is unfortunate. As I said yesterday, I believe it is a miscalculation, and I hope this miscalculation does not continue.

Sir David HANNAY (United Kingdom): I do not wish to pose more questions. I thank the Deputy Prime Minister for the answers he gave, though I am bound to register that some of them were, frankly, evasive and therefore not satisfactory. But I feel that this exchange has shown that these problems of compliance will never be resolved by words - they will have to be resolved by deeds. And in so far as the Deputy Prime Minister has shown some willingness on one or two points to indicate a shift in the position of his Government, I feel this will have to be put to the test by deeds. It is in the work that now has to continue to be done by the IAEA and the Special Commission, it is in the work being done by the ICRC and it is in the work done by the Secretary-General in the humanitarian area and in the implementation of resolution 688 (1991) that we shall see whether this has been put to the test and is resulting in compliance, or whether we are simply confronted with a continuation of the non-compliance that has been the history of the last year. I hope very much that it will be the former, not the latter, because, as I said yesterday, I think the latter would be a major miscalculation.

Mr. HATANO (Japan): The fate of Kuwaiti and third-country nationals in Iraq is of major concern to my country. A question was asked yesterday regarding visits by the ICRC to places of detention in Iraq, especially as to whether the visits could be conducted in accordance with ICRC standard procedures. I am not quite sure if the general answer just given by the

(Mr. Hatano, Japan)

Deputy Prime Minister regarding cooperation with the ICRC covers this specific point of great importance. We shall carefully follow the developments on this particular point and may raise this subject again in future Security Council discussions.

The PRESIDENT (interpretation from Spanish): As no other member of the Council wishes to address questions to the Deputy Prime Minister of Iraq, I intend, with the concurrence of the members of the Council, to suspend the meeting now. I invite members to join me for consultations immediately.

The meeting was suspended at 12.10 p.m. and resumed at 1.30 p.m.

The PRESIDENT (interpretation from Spanish): In concluding the present stage of the consideration of the item on the agenda, I have been authorized, following consultations among members of the Security Council, to make the following statement on behalf of the Council:

"The views of the Security Council having been expressed through its President and by the statements of its members on the extent of compliance by the Government of Iraq with its obligations under the relevant Security Council resolutions, the Security Council has listened with close attention to the statement by the Deputy Prime Minister of Iraq and his responses to the questions posed by Council members.

"The members of the Security Council wish to reiterate their full support for the statement made by the President of the Council on their behalf at the opening of the 3059th meeting (S/23699).

"In the view of the Security Council, the Government of Iraq has not yet complied fully and unconditionally with those obligations, must do so and must immediately take the appropriate actions in this regard. It hopes that the goodwill expressed by the Deputy Prime Minister of Iraq will be matched by deeds."

I wish to inform members of the Council that the representative of the Islamic Republic of Iran has transmitted to me a communication in connection with this item which I shall have circulated among members.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The Security Council will remain seized of the matter.

The meeting rose at 1.35 p.m.